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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/802,861	03/12/2001	Son Phan-Anh	017.38738X00	3307
32294	7590	06/30/2006	EXAMINER	
SQUIRE, SANDERS & DEMPSEY L.L.P.			LY, NGHI H	
14TH FLOOR			ART UNIT	
8000 TOWERS CRESCENT			PAPER NUMBER	
TYSONS CORNER, VA 22182			2617	

DATE MAILED: 06/30/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/802,861

Applicant(s)

PHAN-ANH ET AL.

Examiner

Nghi H. Ly

Art Unit

2617

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 06 April 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-28 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-28 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

Art Unit: 2617

The Art Unit location of your application in the USPTO has changed. To aid in correlating any papers for this application, all further correspondence regarding this application should be directed to Art Unit 2617.

## **DETAILED ACTION**

### ***Response to Amendment***

1. Applicant's request for reconsideration of the finality of the rejection of the last Office action is persuasive and, therefore, the finality of that action is withdrawn.

### ***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

4. Claims 1, 2, 5, 8, 9, 12, 15, 19, 21 and 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chow et al (US 6,445,911) and further in view of Foti et al (US 6,654,606).

Regarding claims 1, 5, 8, 12, 15, 19, 21 and 25, Chow teaches a method of recovering location information of a subscriber in a mobile network (see fig.4A and column 17, lines 39-52, see "location"), the method comprising: forwarding a registration request from the subscriber to a Serving-Call State Control Function (S-CSCF) (see fig.4A, step a) including the subscriber's Transport Address (TA) which is a current Care of Address of the subscriber (see column 15, lines 39-59), forwarding a location update of the subscriber in the mobile network from the S-CSCF to a Home Subscription Server (HSS) (also see column 15, lines 39-59) including the subscriber's TA and address of the S-CSCF (also see column 15, lines 39-59, see "*also includes the NSP's unique IP address*"), and storing information including the subscriber's TA so as to be protected against loss (see column 13, line 65 to column 14, line see "database"), the teaching of Chow inherently teaches storing information so as to be protected against loss).

Chow does not specifically disclose storing data regarding the location update including the subscriber's TA-in the HSS so as to be protected against loss of the location information of the subscriber in the mobile network.

Foti teaches storing data regarding the location update including the subscriber's TA-in the HSS so as to be protected against loss of the location information of the subscriber in the mobile network (see column 2, lines 9-24).

Therefore, it would have been obvious to one ordinary skill in the art at the time of the invention was made to provide the teaching of Foti into the system of Chow in order to provide a call processing function that are selective perform (see Foti, column 2, lines 21-22).

Regarding claims 2 and 9, Chow teaches upon the S-CSCF losing information, lost information including the subscriber's TA may be restored (see column 13, line 65 to column 14, line see "database"). Chow does not specifically disclose lost information including the subscriber's TA may be restored to the S-CSCF from the information stored in the HSS.

Foti teaches lost information including the subscriber's TA may be restored to the S-CSCF from the information stored in the HSS (see column 2, lines 9-24).

Therefore, it would have been obvious to one ordinary skill in the art at the time of the invention was made to provide the teaching of Foti into the system of Chow in order to provide a call processing function that are selective perform (see Foti, column 2, lines 21-22).

5. Claims 3, 4, 6, 7, 10, 11, 13 and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chow et al (US 6,445,911) in view of Foti et al (US 6,654,606) and further in view of Taguchi et al (US 6,136,532).

Regarding claims 3, 6, 10 and 13, the combination of Chow and Foti teaches storing data in the HSS (see Foti, see column 2, lines 9-24). The combination of Chow and Foti does not specifically disclose storing data in a non-volatile memory.

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Taguchi teaches storing data in a non-volatile memory (see column 16, lines 53-58).

Therefore, it would have been obvious to one ordinary skill in the art at the time of the invention was made to provide the teaching of Taguchi into the system of Chow and Foti in order to retain the data in the event of power losses.

Regarding claims 4, 7, 11 and 14, the combination of Chow and Foti teaches storing data in the HSS (see Foti, see column 2, lines 9-24). The combination of Chow and Foti does not specifically disclose storing data in a non-volatile memory in the HSS comprises storing data in a hard disk drive.

Taguchi further teaches storing data in a non-volatile memory in the HSS comprises storing data in a hard disk drive (see Taguchi, column 16, lines 53-58).

Therefore, it would have been obvious to one ordinary skill in the art at the time of the invention was made to provide the teaching of Taguchi into the system of Chow and Foti in order to retain the data in the event of power losses.

6. Claims 16, 22 and 26 are rejected under 35 U.S.C. 103(a) as being unpatentable over the Chow et al (US 6,445,911) in view of Foti et al (US 6,654,606) and further in view of Sanchez-Herrero et al (Pub.No.: US 2002/0147845 A1).

Regarding claims 16, 22 and 26, the combination of Chow and Foti does not specifically disclose teaches the method of claims 15 22 and 26. The combination of Chow and Foti does not specifically disclose forwarding the route request to the UMS

comprises forwarding an indication to the UMS that the S-CSCF fails to have a Care Of Address of the subscriber.

Sanchez-Herrero et al (Pub.No.: US 2002/0147845 A1) teaches forwarding the route request to the UMS comprises forwarding an indication to the UMS that the S-CSCF fails to have a Care Of Address of the subscriber (see page 5, [0047], the "HSS" reads on applicant's UMS. In addition, applicant's specification fails to further recite what a UMS is).

Therefore, it would have been obvious to one ordinary skill in the art at the time of the invention was made to provide the teaching of Sanchez-Herrero into the system of the Chow and Foti in order to deliver performance feedback to the sender.

7. Claims 17, 20, 23 and 27 are rejected under 35 U.S.C. 103(a) as being unpatentable over the Chow et al (US 6,445,911) in view of Foti et al (US 6,654,606) and further in view of Bergenwall et al (US 6,721,291).

Regarding claim 17, 20, 23 and 27, the combination of Chow and Foti teaches claim 15. The combination of Chow and Foti does not specifically disclose forwarding the call setup request from the home agent to the subscriber comprises forwarding the call setup request to a Care Of Address of the subscriber.

Bergenwall teaches forwarding the call setup request from the home agent to the subscriber comprises forwarding the call setup request to a Care Of Address of the subscriber (see column 4, lines 54-60).

Therefore, it would have been obvious to one ordinary skill in the art at the time of the invention was made to provide the teaching of Bergenwall into the system of the Chow and Foti in order to prevent wasting bandwidth (see Bergenwall, column 4, lines 60-63).

8. Claims 18, 24, and 28 are rejected under 35 U.S.C. 103(a) as being unpatentable over the Chow et al (US 6,445,911) in view of Foti et al (US 6,654,606) and further in view of Sanchez-Herrero et al (Pub.No.: US 2002/0147845 A1) and Bergenwall et al (US 6,721,291).

Regarding claims 18, 24 and 28, the combination of Chow, Foti and Sanchez-Herrero teaches 16, 22 and 26. The combination of Chow, Foti and Sanchez-Herrero does not specifically disclose forwarding the call setup request from the home agent to the subscriber comprises forwarding the call setup request to a Care Of Address of the subscriber.

Bergenwall teaches forwarding the call setup request from the home agent to the subscriber comprises forwarding the call setup request to a Care Of Address of the subscriber (see column 4, lines 54-60).

Therefore, it would have been obvious to one ordinary skill in the art at the time of the invention was made to provide the teaching of Bergenwall into the system of the Chow, Foti and Sanchez-Herrero in order to prevent wasting bandwidth (see Bergenwall, column 4, lines 60-63).



***Response to Arguments***

9. Applicant's arguments with respect to claims 1-28 have been considered but are moot in view of the new ground(s) of rejection.

***Conclusion***

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nghi H. Ly whose telephone number is (571) 272-7911. The examiner can normally be reached on 8:30 am-5:30 pm Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Marsha Banks-Harold can be reached on (571) 272-7905. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Nghi H. Ly



CHARLES APPIAH  
PRIMARY EXAMINER